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HOUSE OF REPRESENTATIVES

REPORT
No. 2373

CERTAIN BASQUE ALIENS

JULY 1, 1952.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 732]

The Committee on the Judiciary to whom was referred the bill (S. 732) for the relief of certain Basque aliens, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to 15 aliens. The bill provides for appropriate quota deductions and for the payment of the required visa fees and head taxes.

GENERAL INFORMATION

The beneficiaries of the bill are all citizens of Spain who entered the United States originally as seamen except for two of them who entered as visitors. They are all employed as sheepherders by various sheep owners in Idaho.

A letter, with attached memorandum, dated March 21, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

MARCH 21, 1952.

Hon. PAT MCCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 732) for the relief of certain Basque aliens. The bill would grant the aliens permanent residence in the United States.

There is attached a memorandum prepared by the Immigration and Naturalization Service of this Department setting forth the facts in the case.

The quota for Spain, to which all beneficiaries of the bill are chargeable, is oversubscribed and immigration visas are not readily obtainable. In this respect,

their cases are similar to those of many other aliens who desire to enter this country for permanent residence but who are unable to do so because of the oversubscribed condition of the quotas to which they are chargeable. All the beneficiaries of this bill, with the exception of Jesus Llona Mencheca and Guillermo Chacartegui, entered the United States as seamen and deserted their vessels. They had followed the sea for varying periods of time immediately prior to their last entries into the United States, and had not recently worked at sheepherding, some having never worked at that occupation. The record presents no facts which would justify granting them a preference over the aliens residing abroad who are awaiting their regular turns for the issuance of immigration visas.

Accordingly, the Department of Justice is unable to recommend enactment of this bill.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE CIRO CAREAGA, VICENTE GALARZA, JOSE MANUEL BATISTA PEREZ, JESUS LLONA MENCHECA, AUGUSTIN UPIARTE, SEGUNDO YBARRO, MANUEL OLAVARRIA, TOMAS LANZOA, FRANCISCO GRANA AGEITOS, GUILLERMO CHACARTEGUI, NICASIO LARRINAGA ORTUBE, JULIAN ORBE ZUAZUA, THOMAS ARANSOLO ABADIA, GEORGE ARANSOLO ABADIA AND JOSE LASA ERENOSAGA, BENEFICIARIES OF S. 732

The 15 aliens named in the bill are natives and citizens of Spain, with the exception of Jose Manuel Batista Perez, who is a native of the Canary Islands and a subject of Spain. The aliens are all single with the exception of Ciró Careaga, Tomas Lanzoa, and Guillermo Chacartegui, who are married. All of them, with the exception of Jesus Llona Mencheca and Guillermo Chacartegui, entered the United States as seamen and deserted their vessels. Mr. Mencheca and Mr. Chacartegui entered the United States as visitors.

Information with respect to the individual aliens is as follows:

Ciró Careaga was born on October 30, 1900. He last arrived at the port of New York, N. Y., on May 10, 1946. He had previously entered the United States on April 8, 1945, and deserted his ship, but subsequently sailed foreign on November 25, 1945. He is presently employed as a sheepherder and earns \$225 per month. His wife and four children reside in Spain, and he has no relatives or dependents in the United States.

Vicente Galarza was born on May 22, 1928. He arrived in the United States at San Francisco, Calif., on October 30, 1949, as a member of the crew of the steamship *Dione*. He was granted shore leave and did not return to that vessel. He has admitted that it was his intention to enter the United States illegally and thereafter remain in this country permanently. He was employed by the Jump Creek Sheep Co., Boise, Idaho, at a salary of from \$200 to \$225 per month until March 7, 1951, but according to last information he was unemployed. Mr. Galarza stated that he departed from Spain to avoid military service there and that he has not registered for selective service in the United States. He has no relatives or dependents in this country. His mother is deceased and his father resides in Spain.

Jose Manuel Batista Perez was born on September 23, 1923. He entered the United States at the port of Baltimore, Md., on January 8, 1949, as a member of the crew of the steamship *Monte Inchoria*, which ship he deserted. He has admitted that prior to his last entry it was his intention to enter the United States illegally and thereafter remain in this country permanently. After his arrival in the United States he worked for several employers, mostly on construction work. Since January 1951 he has been employed as a sheep-camp tender. His salary is \$225 per month, which includes his board and living quarters. He has no relatives or dependents in the United States. His parents and three brothers reside in Spain.

Jesus Llona Mencheca was born on December 2, 1921. He arrived in the United States at the port of New York, N. Y., on July 23, 1947, and was admitted as a temporary visitor for business for 2 months under section 3 (2) of the Immigration Act of 1924. He has received no extensions of stay and is considered as being illegally in this country. His mother, brother, and two sisters reside in Spain. Mr. Mencheca stated that his purpose in coming to the United States was to purchase machinery for a firm in Spain. He was not, however, employed by the company. Since September 1947, he has been employed as a camp tender

in a sheep camp near Boise, Idaho, where he earns \$200 per month, plus room and board.

Agustin Uriarte was born on December 30, 1919. He arrived in the United States at Philadelphia, Pa., on August 28, 1946, as a member of the crew of the steamship *Josina*, which vessel he deserted. He was admitted that he signed on this ship at Bilbao, Spain, for the purpose of coming to the United States to remain permanently. He was employed as a shepherd at a salary of \$200 a month until April 26, 1951, when he was taken into custody on a complaint charging insanity. He was found to be suffering from a nervous breakdown, however, and was subsequently released on bond. Mr. Uriarte has no relatives or dependents in the United States. His mother resides in Spain and his father is deceased.

Segundo Ybarro was born on May 21, 1919. He arrived in the United States at Philadelphia, Pa., on August 28, 1946, as a member of the crew of the steamship *Josina*, which vessel he deserted. He has admitted that he planned to desert prior to the time his ship sailed from Spain. On September 25, 1950, a warrant for his arrest in deportation proceedings was issued charging him with being in the United States in violation of the Immigration Act of May 26, 1924, in that, at the time of entry, he was an immigrant not in possession of a valid immigration visa and not exempted from the presentation thereof by that act or regulations made thereunder. On January 17, 1951, he was accorded a hearing under the warrant of arrest during which he applied for the privilege of voluntary departure in lieu of deportation. He was granted the relief applied for but has not departed. Mr. Ybarro has been employed in the vicinity of Gooding, Idaho, most of the time since his arrival in the United States, either as a shepherd or on farms. He has been employed since January 1950 as a shepherd at a salary of \$200 per month in addition to his room and board. Mr. Ybarro has a brother and an uncle residing in the United States. His father, two brothers, and two sisters reside in Spain. His mother is deceased. Mr. Ybarro stated that he served in the Spanish Navy for 15 months prior to his discharge therefrom in 1941, and that after the war he was drafted into Franco's army against his will and that he served in that army about 15 months. He stated that he was arrested at Gooding, Idaho, on November 24, 1950, for reckless driving for which offense he was fined \$100.

Manuel Olavarria was born on July 10, 1909. He arrived in the United States at San Francisco, Calif., during October 1949, as a member of the crew of the steamship *Dione*. He signed off of that ship and was granted 29 days in which to reship. He stated that he did not reship because he was told by other Basques in San Francisco that if he went to work in the sheep industry he would not have to return to Spain. Mr. Olavarria has worked as a shepherd almost continuously since his entry into the United States. He is presently employed at a salary of \$200 per month, plus his room and board. He stated that he served in the Spanish Army during 1936 and 1937. He has three brothers and two sisters in Spain, but has no relatives or dependents in the United States.

Tomas Lanzoa was born on January 13, 1915. He arrived in the United States at Baltimore, Md., on July 1, 1949, as a member of the crew of the steamship *Monte y Ziar*, which vessel he deserted. He has admitted that he intended to desert his ship before he went ashore and he stated that, prior to his departure for the United States, he made no attempt to obtain a passport or a visa for legal entry. He is presently employed as a shepherd near Twin Falls, Idaho, where he earns \$230 per month, plus his board and living quarters. He has no relatives or dependents in the United States but he has a wife and two children in Spain. Mr. Lanzoa stated he served in the Spanish Navy from 1935 until 1939 when he deserted his ship and stayed in France until the end of the revolution. He claims that after he returned to Spain the Franco government put him in a labor camp for 1 year.

Francisco Grana Ageitos was born on September 24, 1922. He arrived in the United States at Philadelphia, Pa., on August 28, 1946, as a member of the crew of the steamship *Josina*, which ship he deserted. He has admitted that it was his intention, before leaving Spain, to enter the United States illegally, and he stated that, prior to his departure for the United States, he made no attempt to obtain a passport or a visa for a legal admission to this country. Since September 13, 1946, he has been employed as a shepherd near Twin Falls, Idaho, where he earns \$230 per month, plus his board and living quarters. He has no relatives or dependents in the United States. His parents and five brothers reside in Spain. He stated that he served in the Spanish Army from January 20, 1942, until his discharge therefrom on March 7, 1944. Prior to his arrival in the United States, Mr. Ageitos had been a seaman by occupation.

Nicasio Larrinaga Ortube was born on November 16, 1925. He arrived in the United States at Baltimore, Md., during September 1949, as a member of the crew of the steamship *Atlantic Air*. He stated that he was granted shore leave but decided to desert after going ashore. He was not in possession of a passport or an immigration visa. Since his arrival in the United States he has been employed at various jobs, mostly on construction work. He has been employed as a sheepherder only since March 11, 1951. His salary is \$200 per month, plus his board and living quarters. He has no relatives or dependents in the United States. His parents, a brother, and a sister reside in Spain. He stated that he served 2 years in the Spanish Navy from 1945 to 1947. He further stated that he went to sea at the age of 15 years and that for about 8 or 9 years preceding his last entry into the United States in 1949 he had been a seaman by occupation.

Julian Orbe Zuazua was born on August 13, 1922. He arrived in the United States at Galveston, Tex., on May 25, 1947, as a member of the crew of the steamship *Saturno*, which vessel he deserted. He has admitted that it was his intention to enter the United States illegally before his ship sailed from Spain and he stated that he made no attempt to obtain a passport or a visa for a legal entry. Since June 5, 1947, he has been employed as a sheepherder near Emmett, Idaho, where he earns \$220 per month, plus his board and living quarters. He has an uncle and two aunts residing in the United States. His parents, four sisters, and one brother reside in Spain. Mr. Zuazua stated that for about 3 years immediately preceding his entry into the United States his occupation was that of a seaman.

Thomas Aransolo Abadea was born on December 20, 1922. He arrived in the United States at Galveston, Tex., on May 25, 1947, as a member of the crew of the steamship *Saturno*, which vessel he deserted. He has admitted that it was his intention to enter the United States illegally before his ship sailed from Spain. He stated that he had heard in Spain that should he get into the United States illegally, he might be permitted to remain in this country. Since his arrival he has been employed as a sheepherder near Emmett, Idaho, at a salary of \$220 per month, plus this board and living quarters. His parents, a brother, and a sister reside in Spain. He has one brother, an aunt, and an uncle residing in the United States. Mr. Abadea stated that he served in the Spanish marines from May 1942 until June 1944. He further stated that for 2½ years immediately preceding his last entry into the United States his occupation had been that of a seaman.

Gregorio Aransolo Abadea was born on December 24, 1915. He arrived in the United States at Philadelphia, Pa., on January 6, 1946, as a member of the crew of the steamship *Monte Orduna*, which vessel he deserted. He has admitted that it was his intention to enter the United States illegally before his ship sailed from Spain. He stated that he had heard in Spain that if he should get into the United States illegally, he might be able to remain. For the first 8 months after his arrival in this country, Mr. Abadea worked in a packing house in Newark, N. J. Since September 6, 1946, he has been employed as a sheepherder near Emmett, Idaho at a salary of \$220 per month, plus his board and living quarters. He has an aunt, an uncle, a cousin, and a brother residing in the United States. His parents reside in Spain. Mr. Abadea stated that his occupation in Spain was that of a sailor and that he had been following that occupation for about 5 years immediately preceding his entry into the United States.

Jose Erenosaga Lasa was born on April 29, 1917. He arrived in the United States at Wilmington, Del., on August 25, 1948, as a member of the crew of the steamship *Castillo Simancas*, which vessel he deserted. He has admitted that it was his intention to enter the United States illegally before his ship sailed from Spain. He stated that he made no attempt to obtain a visa. Since January 1950 he has been employed as a sheepherder near Emmett, Idaho, at a salary of \$220 per month, plus his board and living quarters. His mother and a brother reside in Spain. He stated that he served in the Spanish Army from 1942 to 1945. He also stated that he had been a seaman for about 4 years prior to his entry into the United States.

Guillermo Chacartegui was born on April 6, 1898. He last arrived in the United States at New York, N. Y., on May 14, 1946, and was admitted as a temporary visitor under section 3 (2) of the Immigration Act of 1924 until August 1, 1946. He was granted several extensions of his temporary stay and he was last given until February 22, 1948, within which to depart from the United States. He claims to have first entered the United States in 1910 with his mother and that his father had entered this country in 1899. He stated that he worked for his uncle, Joe Chacartegui, on a sheep ranch in Idaho, for 16 years, and that in September 1926 he left the United States to visit his parents who had returned to Spain. He also claims to have returned to the United States at the port of New

York in September 1927, but no record of his permanent admission in 1910 or his readmission in 1927 has been found.

Mr. Chacartegui further claims that he last departed for Spain on December 30, 1930, and while there married a native of that country. He has three minor children. Between 1930 and 1946 he operated a small farm and a store at Amaroto, Spain. He stated that from June 1, 1937, until December 8, 1938, he was in jail in Bilbao, Spain, on orders of the Franco government but that after being investigated he was released and no charges were placed against him. Since his last entry into the United States on May 14, 1946, Mr. Chacartegui has been steadily employed as a shepherd. He presently receives a salary of \$250 per month. Mr. Chacartegui was the beneficiary of S. 139, Eighty-first Congress, on which the Department of Justice submitted its report to the Senate Judiciary Committee under date of July 22, 1949, in which it was stated that whether the general provisions of the immigration laws should be waived in Mr. Chacartegui's case presented a question of legislative policy concerning which the Department preferred not to make any recommendation. However, subsequent to the submission of the Department's report on that bill the Congress enacted general legislation permitting the importation of skilled alien shepherders to work at that occupation (Public Law 587, 81st Cong., approved June 30, 1950). After the enactment of that legislation Mr. Chacartegui's status could have been adjusted by his departure from the United States to a nearby country where he could have applied for an immigration visa for permanent residence under that law.

Senator Henry C. Dworshak, the author of the bill, has submitted a number of letters and documents in support of the bill. Various employers of the beneficiaries of the bill state that the men are all steadily employed and needed in the wool-growing industry. One of the letters submitted by Senator Dworshak reads as follows:

THE VALENCIA,
Boise, Idaho, February 12, 1952.

HON. HENRY C. DWORSHAK,
United States Senator, Senate Office Building,
Washington, D. C.

DEAR SENATOR DWORSHAK: There is now pending in the United States Congress your Senate bill 732 for the purpose of enabling certain Basque aliens who are illegally in this country to remain here. These Basque aliens included in the bill are all employed regularly and permanently in the sheep industry. We have been informed by several of their employers that they have urgent need for these men. Other sheepmen have told us that they could use additional Basque shepherders, since there is a great shortage of competent shepherders in the State of Idaho and that, on the whole, the great majority of the available skilled shepherders are Basque. As a matter of fact, through experience, many sheepmen in southern Idaho prefer to hire almost exclusively shepherders of Basque extraction.

As you will recall, we run the Valencia Hotel and Dining Room. During the times that many of the Basques included in Senate bill 732 are in town they board and room with us. As a consequence, we have become well acquainted with them and familiar with their character traits and conduct. Without exception, we have found them to be law abiding, honest, and well-behaved, and with what we have learned from their employers concerning not only their desire, but their ability to work steadily and conscientiously, we have no hesitation in recommending them as the type of men who would make good residents and citizens of the State of Idaho and the United States.

We feel so keenly about this matter that we have taken it upon ourselves to write you in their behalf and urge that you do everything in your power to assist these men and at the same time render a valuable service to the sheep industry in Idaho.

We, as well as the rest of the Basques in southern Idaho, know that you have always been our friend and have worked hard in our behalf. For all your effort we wish to thank you and we sincerely hope that you will continue to help us.

Sincerely yours,

BENITO YSURSA.
TOMAS YSURSA.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 732) should be enacted.

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